

COUNSEL BLOCK

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

***IN RE: MGM RESORTS INTERNATIONAL
DATA BREACH LITIGATION***

Master File No. 2:20-cv-00376- JAD-NJK

ECF No. 51

This Document Relates To: All Cases

**ORDER GRANTING
STIPULATION FOR EXTENSION OF TIME TO FILE CONSOLIDATED COMPLAINT
AND TO SET SCHEDULE FOR RULE 23(g) MOTIONS
(First Request)**

Pursuant to LR IA 6-1, Plaintiffs in the above-captioned Consolidated Action and Defendant MGM Resorts International (“MGM” or “Defendant”), (collectively, the “Parties”), by and through their counsel of record, stipulate to an extension of time for Plaintiffs to file a Consolidated Complaint and to a schedule for counsel for Plaintiffs to file motions for leadership pursuant to Rule 23(g), Federal Rule of Civil Procedure. This is the first request made to extend the deadline for filing a consolidated complaint. In support of this Stipulation, the Parties show as follows:

On March 30, 2020, the Court entered its Order granting the Parties’ Stipulation to Consolidate Actions and Set Scheduling Deadlines. (ECF No. 22.) The Order set a deadline for the filing of Plaintiffs’ Consolidated Complaint for thirty (30) days after entry of the Order, which yielded a deadline of April 29, 2020.

When the Parties entered into the Stipulation, the Plaintiffs had been collaborating and believed they could self-organize a leadership structure for the litigation. Unfortunately, despite working together and reaching consensus on many issues, the Plaintiffs have been unable to reach an agreement on a leadership structure. While taking no position on the appointment of interim lead counsel, the Defendant agrees that interim lead counsel should be appointed for purposes of filing a consolidated complaint and efficiently coordinating and conducting pretrial proceedings in this matter.

Accordingly, the Parties propose, subject to Court approval, the following initial deadlines:

- Any attorney who has filed an action in this litigation may file an application for appointment as interim class counsel or other designated counsel either individually or as part of a proposed leadership structure. All applications must be e-filed in the Master File No. 2:20-cv-00376-JAD-NJK, no later than 5 p.m. Pacific Time on May 1, 2020. No responses shall be filed. The Court may hold a hearing on the applications or appoint interim counsel or other designated counsel based on timely written submissions only;
- Plaintiffs shall file a Consolidated Complaint no later than sixty (60) days following the entry of an order appointing interim class counsel or other designated counsel;
- Given the complexity of the issues, including Plaintiffs' stated desire to assert claims under the laws of multiple states, the parties agree to the following briefing schedule and expanded page limitations with respect to MGM's response to the Consolidated Complaint:
 - Any response to the Consolidated Complaint shall be due within sixty (60) days from the filing of the Consolidated Complaint and shall be limited to fifty (50) pages
 - Any opposition thereto will be due within sixty (60) days of the filing of such response(s) and shall be limited to fifty (50) pages
 - Any reply brief will be due within forty-five (45) days of the filing of any opposition and shall be limited to twenty-five (25) pages


- Plaintiffs agree that by entering into this stipulation or acting in conformance with its terms, MGM has not waived or acted in any way inconsistent with any right, remedy or defense.

**** ORDER ****

IT IS SO STIPULATED.

Based on the parties' stipulation [51] and good cause appearing, IT IS SO ORDERED

Dated: April 28, 2020


U.S. District Judge Jennifer A. Dorsey
Dated: April 30, 2020, nunc pro tunc to
April 29, 2020.

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